

EXHIBIT 3

中华人民共和国立法法

Legislation Law of the People's Republic of China

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Promulgating Institution: National People's Congress

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中华人民共和国主席令

第二十号

《全国人民代表大会关于修改〈中华人民共和国立法法〉的决定》已由中华人民共和国第十二届全国人民代表大会第三次会议于2015年3月15日通过，现予公布，自公布之日起施行。

中华人民共和国主席 习近平

2015年3月15日

Order of the President of the People's Republic of China

No. 20

The Decision of the National People's Congress on Revising the "Legislation Law of the People's Republic of China", adopted at the third Session of the 12th National People's Congress of the People's Republic of China on March 15, 2015, is hereby promulgated and shall come into effect on the date of promulgation.

President of the People's Republic of China Xi Jinping

March 15, 2015

中华人民共和国立法法

Legislation Law of the People's Republic of China

(2000年3月15日第九届全国人民代表大会第三次会议通过 根据2015年3月15日第十二届全国人民代表大会第三次会议《关于修改〈中华人民共和国立法法〉的决定》修正)

(Adopted at the third Session of the Ninth National People's Congress on March 15, 2000; revised according to the Decision of the National People's Congress on Revising the Legislation Law of the People's Republic of China adopted at the third Session of the 12th National People's Congress on March 15, 2015)

目录

Contents

第一章总则

Chapter I General Provisions

第二章法律

Chapter II Laws

第一节立法权限

Section 1 Limits of Legislative Power

第二节全国人民代表大会立法程序

Section 2 Legislation Procedures for the National People's Congress

第三节全国人民代表大会常务委员会立法程序

Section 3 Legislation Procedures for the Standing Committee of the National People's Congress

第四节法律解释

Section 4 Legal Interpretation

第五节其他规定

Section 5 Other Provisions

第三章行政法规

Chapter III Administrative Regulations

第四章地方性法规、自治条例和单行条例、规章

Chapter IV Local Regulations, Autonomous Regulations, Separate Regulations and Rules

第一节地方性法规、自治条例和单行条例

Section 1 Local Regulations, Autonomous Regulations and
Separate Regulations

第二节规章

Section 2 Rules

第五章适用与备案

Chapter V Application and Record

第六章附则

Chapter VI Supplementary Provisions

第一章 总则

Chapter I:General Provisions

第一条 为了规范立法活动，健全国家立法制度，提高立法质量，完善中国特色社会主义法律体系，发挥立法的引领和推动作用，保障和发展社会主义民主，全面推进依法治国，建设社会主义法治国家

，根据宪法，制定本法。

Article 1 This Law is formulated pursuant to the Constitution with a view to standardizing legislative activities, improving the legislative system of the State, raising the quality of legislations, perfecting the socialist legal system with Chinese characteristics, displaying the role of legislations to lead and drive national development, safeguarding and developing socialist democracy, promoting the governance of the country by law in a comprehensive manner, and building China into a socialist country under the rule of law.

第二条 法律、行政法规、地方性法规、自治条例和单行条例的制定、修改和废止，适用本法。

Article 2 This Law shall be applicable to the enactment, revision and nullification of laws, administrative regulations, local regulations, autonomous regulations and separate regulations.

国务院部门规章和地方政府规章的制定、修改和废止，依照本法的有关规定执行。

The rules of the departments under the State Council and of the local governments shall be formulated, revised and nullified in accordance with the relevant provisions of this Law.

第三条 立法应当遵循宪法的基本原则，以经济建设为中心，坚持社会主义道路、坚持人民民主专政、坚持中国共产党的领导、坚持马克思列宁主义毛泽东思想邓小平理论，坚持改革开放。

Article 3 Laws shall be made in compliance with the basic principles laid down in the Constitution, principles of taking economic development as the central task, adhering to the socialist road and the people's democratic dictatorship, upholding leadership by the Communist Party of China, upholding Marxism-Leninism, Mao Zetong Thought and Deng Xiaoping theory and persevering in reform and in opening to the outside world.

第四条 立法应当依照法定的权限和程序，从国家整体利益出发，维护社会主义法制的统一和尊严。

Article 4 Laws shall be made in accordance with the statutory limits of power and procedures, on the basis of the overall interests of the State and for the purpose of safeguarding the uniformity and dignity of the socialist legal system.

第五条 立法应当体现人民的意志，发扬社会主义民主，坚持立法公开，保障人民通过多种途径参与立法活动。

Article 5 Legislative activities shall reflect the will of the people, promote socialist democracy, and be carried out in an open manner to ensure that the people are able to participate in such activities through various channels.

第六条 立法应当从实际出发，适应经济社会发展和全面深化改革的要求，科学合理地规定公民、法人和其他组织的权利与义务、国家机关的权力与责任。

Article 6 Legislative activities shall be based on actual circumstances, be suitable to economic and social development and the requirements on comprehensively deepening reform, and shall, in a scientific and reasonable manner, prescribe the rights and obligations of citizens, legal persons and other organizations, and the powers and duties of State organs.

法律规范应当明确、具体，具有针对性和可执行性。

Laws and regulations shall be clear, specific, targeted and enforceable.

第二章 法律

Chapter II:Laws

第一节 立法权限

Section 1:Limits of Legislative Power

第七条 全国人民代表大会和全国人民代表大会常务委员会行使国家立法权。

Article 7 The National People's Congress and its Standing Committee exercise the legislative power of the State.

全国人民代表大会制定和修改刑事、民事、国家机构的和其他的基本法律。

The National People's Congress enacts and amends basic laws governing criminal offences, civil affairs, the State organs and other matters.

全国人民代表大会常务委员会制定和修改除应当由全国人民代表大会制定的法律以外的其他法律；在全国人民代表大会闭会期间，对全国人民代表大会制定的法律进行部分补充和修改，但是不得同该法律的基本原则相抵触。

The Standing Committee of the National People's Congress enacts and amends laws other than the ones to be enacted by the National People's Congress, and when the National People's Congress is not in session, partially supplements and amends laws enacted by the National People's Congress, but not in contradiction to the basic principles of such laws.

第八条 下列事项只能制定法律：

Article 8 The following affairs shall only be governed by law:

(一)国家主权的事项；

(1) affairs concerning State sovereignty;

(二)各级人民代表大会、人民政府、人民法院和人民检察院的产生、组织和职权；

(2) formation, organization, and the functions and powers of the people's congresses, the people's governments, the people's courts and the people's procuratorates at all levels;

(三)民族区域自治制度、特别行政区制度、基层群众自治制度；

(3) the system of regional national autonomy, the system of special administrative region, the system of self-government among people at the grassroots level;

(四)犯罪和刑罚；

(4) criminal offences and their punishment;

(五)对公民政治权利的剥夺、限制人身自由的强制措施和处罚；

(5) mandatory measures and penalties involving deprivation of citizens of their political rights or restriction of the freedom of their person;

(六)税种的设立、税率的确定和税收征收管理等税收基本制度；

(6) basic taxation systems, such as the institution of taxable items, the determination of tax rates, tax

collection and administration, etc.;

(七)对非国有财产的征收、征用;

(7) expropriation and requisition of non-State-owned assets;

(八)民事基本制度;

(8) basic civil system;

(九)基本经济制度以及财政、海关、金融和外贸的基本制度;

(9) fundamental economic systems and basic fiscal, customs, financial and foreign trade systems;

(十)诉讼和仲裁制度;

(10) systems of litigation and arbitration; and

(十一)必须由全国人民代表大会及其常务委员会制定法律的其他事项。

(11) other affairs on which laws must be made by the National People's Congress or its Standing Committee.

第九条 本法第八条规定的事项尚未制定法律的, 全国人民代表大会及其常务委员会有权作出决定, 授权国务院可以根据实际需要, 对其中的部分事项先制定行政法规, 但是有关犯罪和刑罚、对公民政治权利的剥夺和限制人身自由的强制措施和处罚、司法制度等事项除外。

Article 9 If laws have not been enacted on the affairs specified in Article 8 of this Law, the National People's Congress or its Standing Committee has the power to make a decision to authorize the State Council to formulate, according to actual needs, administrative regulations first on part of those affairs, except for the affairs concerning criminal offences and their punishment, mandatory measures and penalties involving deprivation of citizens of their political rights or restriction of the freedom of their person, and the judicial system.

第十条 授权决定应当明确授权的目的、事项、范围、期限以及被授权机关实施授权决定应当遵循的原则等。

Article 10 An authorization decision shall specify the purposes, matters, scope and period of authorization, as well as the principles that the authorized organ shall adhere to when executing the authorization decision.

授权的期限不得超过五年, 但是授权决定另有规定的除外。

The period of authorization shall not exceed five years, except as otherwise prescribed in the authorization decision.

被授权机关应当在授权期限届满的六个月以前, 向授权机关报告授权决定实施的情况, 并提出是否需要制定有关法律的意见; 需要继续授权的, 可以提出相关意见, 由全国人民代表大会及其常务委员会决定。

The authorized organ shall, six months prior to the expiry of the period of authorization, report to the authorizing organ the execution of the authorization decision, and issue opinions on whether relevant laws need to be formulated. Where continued authorization is needed, the authorized organ may propose relevant opinions for decision by the National People's Congress ("NPC") and its Standing Committee.

第十一条 授权立法事项, 经过实践检验, 制定法律的条件成熟时, 由全国人民代表大会及其常务

委员会及时制定法律。法律制定后，相应立法事项的授权终止。

Article 11 After the administrative regulations on an affair formulated under authorization have been tested in practice and when the conditions are ripe for making a law on the affair, the National People's Congress or its Standing Committee shall make a law on it in a timely manner. As soon as the law is made, the authorization with regard to that matter shall be terminated accordingly.

第十二条 被授权机关应当严格按照授权决定行使被授予的权力。

Article 12 An authorized organ shall exercise the powers granted thereto strictly in accordance with the relevant authorization decision.

被授权机关不得将被授予的权力转授给其他机关。

The authorized organ shall not re-delegate the powers granted thereto to any other organ.

第十三条 全国人民代表大会及其常务委员会可以根据改革发展的需要，决定就行政管理等领域的特定事项授权在一定期限内在部分地方暂时调整或者暂时停止适用法律的部分规定。

Article 13 The NPC and its Standing Committee may, according to the needs of reform and development, decide to grant authorization to temporarily adjust or temporarily stop the application of certain provisions of the law in certain regions and within a certain period of time with regard to specific matters in administration and other fields.

第二节 全国人民代表大会立法程序

Section 2: Legislation Procedures for the National People's Congress

第十四条 全国人民代表大会主席团可以向全国人民代表大会提出法律案，由全国人民代表大会会议审议。

Article 14 The Presidium of the National People's Congress may submit to the National People's Congress legislative bills, which shall be deliberated by the session of the National People's Congress.

全国人民代表大会常务委员会、国务院、中央军事委员会、最高人民法院、最高人民检察院、全国人民代表大会各专门委员会，可以向全国人民代表大会提出法律案，由主席团决定列入会议议程。

The Standing Committee of the National People's Congress, the State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate and the special committees of the National People's Congress may submit to the National People's Congress legislative bills, which shall be put on the agenda of a session by decision of the Presidium.

第十五条 一个代表团或者三十名以上的代表联名，可以向全国人民代表大会提出法律案，由主席团决定是否列入会议议程，或者先交有关的专门委员会审议、提出是否列入会议议程的意见，再决定是否列入会议议程。

Article 15 A delegation or a group of thirty or more deputies may submit a legislative bill to the National People's Congress. The Presidium shall decide whether or not to put it on the agenda of the session, or shall refer do so after referring the bill to a relevant special committee for deliberation and for making a proposal as to whether to put it on the agenda.

专门委员会审议的时候，可以邀请提案人列席会议，发表意见。

When the special committee holds a meeting to deliberate the bill, it may invite the sponsoring person to attend the meeting and express opinions.

第十六条 向全国人民代表大会提出的法律案，在全国人民代表大会闭会期间，可以先向常务委员会提出，经常务委员会会议依照本法第二章第三节规定的有关程序审议后，决定提请全国人民代表大会审议，由常务委员会向大会全体会议作说明，或者由提案人向大会全体会议作说明。

Article 16 A legislative bill to be submitted to the National People's Congress may be submitted first to the Standing Committee when the National People's Congress is not in session, and after the Standing Committee has deliberated on it at its meetings in accordance with the procedures stipulated in Section 3 of Chapter II of this Law and decides to submit it to the National People's Congress for deliberation, the Standing Committee or the sponsor shall make explanations to a plenary meeting of the session.

常务委员会依照前款规定审议法律案，应当通过多种形式征求全国人民代表大会代表的意见，并将有关情况予以反馈；专门委员会和常务委员会工作机构进行立法调研，可以邀请有关的全国人民代表大会代表参加。

The Standing Committee, when deliberating a bill in accordance with the preceding Paragraph, shall consult NPC delegates through various forms, and give feedback on pertinent situations. When engaging in legislative research activities, special committees and the working bodies of the Standing Committee may invite relevant NPC delegates to participate in such activities.

第十七条 常务委员会决定提请全国人民代表大会会议审议的法律案，应当在会议举行的一个月前将法律草案发给代表。

Article 17 When the Standing Committee decides to submit a legislative bill to a session of the National People's Congress for deliberation, it shall distribute the draft bill to the deputies one month before the session is convoked.

第十八条 列入全国人民代表大会会议议程的法律案，大会全体会议听取提案人的说明后，由各代表团进行审议。

Article 18 The legislative bill that has been placed on the agenda of a session of the National People's Congress shall be deliberated on by all the delegations after the explanation made by the sponsor has been heard at a plenary meeting of the session.

各代表团审议法律案时，提案人应当派人听取意见，回答询问。

When the delegations are deliberating on a legislative bill, the sponsor shall send people to listen to their opinions and answer inquiries.

各代表团审议法律案时，根据代表团的要求，有关机关、组织应当派人介绍情况。

When the delegations are deliberating on a legislative bill, the relevant organ or organization shall, at the request of the delegations, send people to give briefings therefor.

第十九条 列入全国人民代表大会会议议程的法律案，由有关的专门委员会进行审议，向主席团提出审议意见，并印发会议。

Article 19 The legislative bill that has been placed on the agenda of a session of the National People's Congress shall be deliberated by the relevant special committee which shall submit its deliberated opinions to the Presidium, and the opinions shall also be printed and distributed at the session.

第二十条 列入全国人民代表大会会议议程的法律案，由法律委员会根据各代表团和有关的专门委员会的审议意见，对法律案进行统一审议，向主席团提出审议结果报告和法律草案修改稿，对重要的不

同意见应当在审议结果报告中予以说明，经主席团会议审议通过后，印发会议。

Article 20 The legislative bill that has been placed on the agenda of a session of the National People's Congress shall be subject to a unified deliberation by its Law Committee on the basis of the deliberated opinions of the various delegations and the relevant special committee. The Law Committee shall submit to the Presidium a report on the result of its deliberation and a revised draft law; major dissenting views shall be stated in the report. After examination and approval by the Presidium, the report and the draft law shall be printed and distributed at the session.

第二十一条 列入全国人民代表大会会议议程的法律案，必要时，主席团常务主席可以召开各代表团团长会议，就法律案中的重大问题听取各代表团的审议意见，进行讨论，并将讨论的情况和意见向主席团报告。

Article 21 With regard to a legislative bill that has been placed on the agenda of a session of the National People's Congress, the executive chairmen of the Presidium may, when necessary, convene a meeting of the heads of the various delegations to hear and discuss the deliberated opinions of the delegations on major questions in the legislative bill, and report the result of the discussion and the opinions expressed to the Presidium.

主席团常务主席也可以就法律案中的重大的专门性问题，召集代表团推选的有关代表进行讨论，并将讨论的情况和意见向主席团报告。

The executive chairmen of the Presidium may also convene a meeting of the interested deputies recommended by the delegations to discuss the major, special questions in the legislative bill, and report the result of the discussion and the opinions expressed to the Presidium.

第二十二条 列入全国人民代表大会会议议程的法律案，在交付表决前，提案人要求撤回的，应当说明理由，经主席团同意，并向大会报告，对该法律案的审议即行终止。

Article 22 With regard to a legislative bill that has been placed on the agenda of a session of the National People's Congress, if the sponsor requests its withdrawal before it is put to vote, he shall state the reasons, and deliberation of the bill at the session shall terminate as soon as the Presidium has accepted the request and reported the matter to the session.

第二十三条 法律案在审议中有重大问题需要进一步研究的，经主席团提出，由大会全体会议决定，可以授权常务委员会根据代表的意见进一步审议，作出决定，并将决定情况向全国人民代表大会下次会议报告；也可以授权常务委员会根据代表的意见进一步审议，提出修改方案，提请全国人民代表大会下次会议审议决定。

Article 23 Where important questions raised during the deliberation on a legislative bill call for further study, the Congress may, by decision of a plenary meeting according to a proposal made by the Presidium, authorize the Standing Committee to further deliberate on the bill on the basis of deputies' opinions, to make a decision and to give a report on the decision to the next session of the National People's Congress; or the Standing Committee may be authorized to further deliberate on the bill on the basis of deputies' opinions, to work out a revision proposal and to submit it to the next session of the National People's Congress for deliberation and decision.

第二十四条 法律草案修改稿经各代表团审议，由法律委员会根据各代表团的审议意见进行修改，提出法律草案表决稿，由主席团提请大会全体会议表决，由全体代表的过半数通过。

Article 24 After a revised draft of the legislative bill has been deliberated on by the various delegations, the Law Committee shall revise revised draft according to the deliberated opinions of the

delegations and prepare a draft for vote, the Presidium shall submit it for vote to a plenary meeting of the session, and the draft shall be subject to adoption by a simple majority of all the deputies.

第二十五条 全国人民代表大会通过的法律由国家主席签署主席令予以公布。

Article 25 A law adopted by the National People's Congress shall be promulgated by Order of the President signed by the President of the People's Republic of China.

第三节 全国人民代表大会常务委员会立法程序

Section 3: Legislation Procedures for the Standing Committee of the National People's Congress

第二十六条 委员长会议可以向常务委员会提出法律案，由常务委员会会议审议。

Article 26 The Council of Chairmen may submit legislative bills to a meeting of the Standing Committee for deliberation.

国务院、中央军事委员会、最高人民法院、最高人民检察院、全国人民代表大会各专门委员会，可以向常务委员会提出法律案，由委员长会议决定列入常务委员会会议议程，或者先交有关的专门委员会审议、提出报告，再决定列入常务委员会会议议程。如果委员长会议认为法律案有重大问题需要进一步研究，可以建议提案人修改完善后再向常务委员会提出。

The State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate or a special committee of the National People's Congress may submit a legislative bill to the Standing Committee, and the Council of Chairmen shall decide whether to put it on the agenda of a meeting of the Standing Committee or to refer it first to the relevant special committee for deliberation before deciding whether to put it on the agenda of a meeting of the Standing Committee in light of the report submitted by the relevant special committee. If the Council of Chairmen believes that the legislative bill contains major questions calling for further study, it may advise the sponsor of the bill to revise and improve the bill before submitting it to the Standing Committee.

第二十七条 常务委员会组成人员十人以上联名，可以向常务委员会提出法律案，由委员长会议决定是否列入常务委员会会议议程，或者先交有关的专门委员会审议、提出是否列入会议议程的意见，再决定是否列入常务委员会会议议程。不列入常务委员会会议议程的，应当向常务委员会会议报告或者向提案人说明。

Article 27 Ten or more of the members of the Standing Committee may jointly submit a legislative bill to the Standing Committee, and the Council of Chairmen shall decide whether to put it on the agenda of a meeting of the Standing Committee, or to refer it first to the relevant special committee for deliberation before deciding whether to put it on the agenda of a meeting of the Standing Committee in light of the suggestions as to whether to put it on the agenda submitted by the relevant special committee. If the Council of Chairmen decides not to put the legislative bill on the agenda of a meeting of the Standing Committee, it shall report the matter to a meeting of the Standing Committee or give an explanation to the sponsor.

专门委员会审议的时候，可以邀请提案人列席会议，发表意见。

When a special committee holds a meeting to deliberate on a bill, the sponsor may be invited to attend the meeting and express opinions.

第二十八条 列入常务委员会会议议程的法律案，除特殊情况外，应当在会议举行的七日前将法律草案发给常务委员会组成人员。

Article 28 When a legislative bill is placed on the agenda of a meeting of the Standing Committee, its draft shall, except under special circumstances, be delivered to the component members of the Standing Committee seven days before the meeting.

常务委员会会议审议法律案时，应当邀请有关的全国人民代表大会代表列席会议。

When a bill is deliberated at a session of the Standing Committee, relevant NPC delegates shall be invited to attend the session as non-voting participants.

第二十九条 列入常务委员会会议议程的法律案，一般应当经三次常务委员会会议审议后再交付表决。

Article 29 As a rule, a legislative bill placed on the agenda of a meeting of the Standing Committee shall be put to vote after deliberations at three meetings of the Standing Committee.

常务委员会会议第一次审议法律案，在全体会议上听取提案人的说明，由分组会议进行初步审议。

When the Standing Committee is to deliberate on a legislative bill for the first time, it shall hear the explanation made by the sponsor at a plenary meeting, and then preliminary deliberation shall be conducted at group meetings.

常务委员会会议第二次审议法律案，在全体会议上听取法律委员会关于法律草案修改情况和主要问题的汇报，由分组会议进一步审议。

When the Standing Committee is to deliberate on a legislative bill for the second time, it shall hear the report made by the Law Committee on the revision of the draft and the main problems thereof at a plenary meeting, and then further deliberation shall be conducted at group meetings.

常务委员会会议第三次审议法律案，在全体会议上听取法律委员会关于法律草案审议结果的报告，由分组会议对法律草案修改稿进行审议。

When the Standing Committee is to deliberate on a legislative bill for the third time, it shall hear the report made by the Law Committee on the result of its deliberation on the draft at a plenary meeting, and then the revised draft of the legislative bill be deliberated on at group meetings.

常务委员会审议法律案时，根据需要，可以召开联组会议或者全体会议，对法律草案中的主要问题进行讨论。

When the Standing Committee is to deliberate on a legislative bill, it may, according to needs, convene joint group meetings or plenary meetings to discuss the main questions contained in the draft.

第三十条 列入常务委员会会议议程的法律案，各方面意见比较一致的，可以经两次常务委员会会议审议后交付表决；调整事项较为单一或者部分修改的法律案，各方面的意见比较一致的，也可以经一次常务委员会会议审议即交付表决。

Article 30 As regards a bill that has been put on the agenda of a session of the Standing Committee, if various parties concerned have formed a preponderant consensus, the said bill may be put to a vote after deliberations at two sessions of the Standing Committee. As regards a bill that regulates only very specific matters or that has only been partially revised, if various parties concerned have formed a preponderant consensus, the said bill may be put to a vote after deliberation at one session of the Standing Committee.

第三十一条 常务委员会分组会议审议法律案时，提案人应当派人听取意见，回答询问。

Article 31 When group meetings of the Standing Committee are held to deliberate on a legislative

bill, the sponsor shall send people to listen to opinions and answer inquiries.

常务委员会分组会议审议法律案时，根据小组的要求，有关机关、组织应当派人介绍情况。

When group meetings of the Standing Committee are held to deliberate on a legislative bill, the relevant organ or organization shall, at the request of any group, send people to give briefings thereof.

第三十二条 列入常务委员会会议议程的法律案，由有关的专门委员会进行审议，提出审议意见，印发常务委员会会议。

Article 32 The legislative bill placed on the agenda of a meeting of the Standing Committee shall be deliberated by the relevant special committee, which shall offer its opinions after deliberation and have them printed and distributed at the Standing Committee meeting.

有关的专门委员会审议法律案时，可以邀请其他专门委员会的成员列席会议，发表意见。

When a special committee holds a meeting to deliberate on a legislative bill, members of other relevant special committees may be invited to attend the meeting and express opinions.

第三十三条 列入常务委员会会议议程的法律案，由法律委员会根据常务委员会组成人员、有关的专门委员会的审议意见和各方面提出的意见，对法律案进行统一审议，提出修改情况的汇报或者审议结果报告和法律草案修改稿，对重要的不同意见应当在汇报或者审议结果报告中予以说明。对有关的专门委员会的审议意见没有采纳的，应当向有关的专门委员会反馈。

Article 33 As regards a bill that has been put on the agenda of a session of the Standing Committee, the Legislative Committee shall conduct uniform deliberation of the said bill according to the deliberation opinions of the members of the Standing Committee and the relevant special committee, as well as the opinions raised by various parties concerned, issue a summary report on revisions or a deliberation conclusion report and the revised draft law, and explain major differences of opinions in the summary report or deliberation conclusion report. Where the deliberation opinions of the relevant special committee are not adopted, the Legislative Committee shall provide feedback for the relevant special committee.

法律委员会审议法律案时，应当邀请有关的专门委员会的成员列席会议，发表意见。

When deliberating a bill, the Legislative Committee shall invite members of the relevant special committee to attend the meeting as non-voting participants and to express their opinions.

第三十四条 专门委员会审议法律案时，应当召开全体会议审议，根据需要，可以要求有关机关、组织派有关负责人说明情况。

Article 34 When a special committee is to deliberate on a legislative bill, it shall hold a plenary meeting and may, in light of need, request the relevant organ or organization to send the leading members concerned to make explanation.

第三十五条 专门委员会之间对法律草案的重要问题意见不一致时，应当向委员长会议报告。

Article 35 Where the special committees disagree on major questions contained in a draft law, the matter shall be reported to the Council of Chairmen.

第三十六条 列入常务委员会会议议程的法律案，法律委员会、有关的专门委员会和常务委员会工作机构应当听取各方面的意见。听取意见可以采取座谈会、论证会、听证会等多种形式。

Article 36 With regard to a legislative bill placed on the agenda of a Standing Committee meeting, the Law Committee, the relevant special committee and the working offices of the Standing Committee

shall listen to opinions of the various quarters by holding forums, seminars, hearings, etc.

法律案有关问题专业性较强,需要进行可行性评价的,应当召开论证会,听取有关专家、部门和全国人民代表大会代表等方面的意见。论证情况应当向常务委员会报告。

Where a bill contains highly technical issues for which feasibility evaluation is necessary, a panel discussion shall be convened to listen to the opinions of relevant experts, departments, NPC delegates and other parties. Situations of the panel discussion shall be reported to the Standing Committee.

法律案有关问题存在重大意见分歧或者涉及利益关系重大调整,需要进行听证的,应当召开听证会,听取有关基层和群体代表、部门、人民团体、专家、全国人民代表大会代表和社会有关方面的意见。听证情况应当向常务委员会报告。

Where a hearing needs to be held due to major differences of opinions concerning certain issues involved in a bill or major adjustments to certain interests involved in a bill, the hearing shall be convened to listen to the opinions of relevant grass-roots and group representatives, departments, people's organizations, experts, NPC delegates and other sectors of the society concerned. Situations of the hearing shall be reported to the Standing Committee.

常务委员会工作机构应当将法律草案发送相关领域的全国人民代表大会代表、地方人民代表大会常务委员会以及有关部门、组织和专家征求意见。

The working bodies of the Standing Committee shall distribute draft laws to NPC delegates engaging in relevant fields, the standing committees of local people's congresses, relevant departments, organizations and experts for soliciting comments.

第三十七条 列入常务委员会会议议程的法律案,应当在常务委员会会议后将法律草案及其起草、修改的说明等向社会公布,征求意见,但是经委员长会议决定不公布的除外。向社会公布征求意见的时间一般不少于三十日。征求意见的情况应当向社会通报。

Article 37 As regards a bill that has been put on the agenda of a session of the Standing Committee, the draft law, the notes on the drafting or revision thereof, etc. shall be promulgated for public comments upon completion of the session of the Standing Committee, unless non-promulgation is decided by the Chairman's Meeting. The period of soliciting public comments shall generally not be less than 30 days. Information on the solicitation of opinions shall be communicated to the public.

第三十八条 列入常务委员会会议议程的法律案,常务委员会工作机构应当收集整理分组审议的意见和各方面提出的意见以及其他有关资料,分送法律委员会和有关的专门委员会,并根据需要,印发常务委员会会议。

Article 38 With regard to a legislative bill placed on the agenda of a meeting of the Standing Committee, its working offices shall collect and sort out the deliberated opinions from group meetings and the opinions offered by the various quarters as well as other relevant information, and then send them to the Law Committee and the relevant special committee and, where necessary, print and distribute them at a meeting of the Standing Committee.

第三十九条 拟提请常务委员会会议审议通过的法律案,在法律委员会提出审议结果报告前,常务委员会工作机构可以对法律草案中主要制度规范的可行性、法律出台时机、法律实施的社会效果和可能出现的问题等进行评估。评估情况由法律委员会在审议结果报告中予以说明。

Article 39 As regards a bill to be submitted to a session of the Standing Committee for deliberation and adoption, before the Legislative Committee issues the deliberation conclusion report, the relevant working body of the Standing Committee may evaluate the feasibility of the main systems and standards

in the draft law, the timing of the introduction of the law, the social effects and possible problems of the implementation of the law, etc. Such evaluation shall be explained by the Legislative Committee in its deliberation conclusion report.

第四十条 列入常务委员会会议议程的法律案，在交付表决前，提案人要求撤回的，应当说明理由，经委员长会议同意，并向常务委员会报告，对该法律案的审议即行终止。

Article 40 With regard to a legislative bill placed on the agenda of a meeting of the Standing Committee, if the sponsor requests its withdrawal before it is put to vote, he shall state the reasons, and deliberation of the bill at the meeting shall terminate as soon as the Council of Chairmen has accepted the request and reported the matter to the Standing Committee.

第四十一条 法律草案修改稿经常务委员会会议审议，由法律委员会根据常务委员会组成人员的审议意见进行修改，提出法律草案表决稿，由委员长会议提请常务委员会全体会议表决，由常务委员会全体组成人员的过半数通过。

Article 41 After the revised draft of a law has been deliberated by the Standing Committee at its meeting, the Law Committee shall further revise it on the basis of the deliberated opinions of the members of the Standing Committee before preparing a draft for vote; then, the Council of Chairmen shall request the Standing Committee to put the draft to vote at a plenary meeting, and the draft shall be subject to adoption by a simple majority of the total membership of the Standing Committee.

法律草案表决稿交付常务委员会会议表决前，委员长会议根据常务委员会会议审议的情况，可以决定将个别意见分歧较大的重要条款提请常务委员会会议单独表决。

Before the draft law for voting is submitted to a session of the Standing Committee for a vote, the Chairman's Meeting may, according to the circumstances of deliberation at the session of the Standing Committee, decide to request the Standing Committee to convene a session to separately vote on certain important articles subject to large differences of opinions.

单独表决的条款经常务委员会会议表决后，委员长会议根据单独表决的情况，可以决定将法律草案表决稿交付表决，也可以决定暂不付表决，交法律委员会和有关的专门委员会进一步审议。

After the articles subject to separate voting are voted at the session of the Standing Committee, the Chairman's Meeting may, according to the results of the separate voting, decide to submit the draft law for voting to a session of the Standing Committee for a vote, or decide not to put the said draft to a vote for the time being, and instead submit the same to the Legislative Committee and the relevant special committee for further deliberation.

第四十二条 列入常务委员会会议审议的法律案，因各方面对制定该法律的必要性、可行性等重大问题存在较大意见分歧搁置审议满两年的，或者因暂不付表决经过两年没有再次列入常务委员会会议议程审议的，由委员长会议向常务委员会报告，该法律案终止审议。

Article 42 Where the deliberation of a legislative bill has been laid aside for two full years owing to significant disagreement among the various quarters on the necessity and feasibility of making the bill into a law, or where a legislative bill that has been proposed not to be put to vote for the time being has failed to be placed again on the agenda of a meeting of the Standing Committee for deliberation within two years, the Council of Chairmen shall report the matter to the Standing Committee and deliberation on the said bill shall terminate.

第四十三条 对多部法律中涉及同类事项的个别条款进行修改，一并提出法律案的，经委员长会议决定，可以合并表决，也可以分别表决。

Article 43 Where a single bill is proposed for revising individual articles that are prescribed in multiple laws but involve similar matters, such individual articles may be voted together or separately upon decision by the Chairman's Meeting.

第四十四条 常务委员会通过的法律由国家主席签署主席令予以公布。

Article 44 A law adopted by the Standing Committee shall be promulgated by Order of the President signed by the president of the People's Republic of China.

第四节 法律解释

Section 4: Legal Interpretation

第四十五条 法律解释权属于全国人民代表大会常务委员会。

Article 45 The power of legal interpretation belongs to the Standing Committee of the National People's Congress.

法律有以下情况之一的，由全国人民代表大会常务委员会解释：

A law shall be interpreted by the Standing Committee of the National People's Congress if:

(一)法律的规定需要进一步明确具体含义的；

(1) the specific meaning of a provision needs to be further defined; or

(二)法律制定后出现新的情况，需要明确适用法律依据的。

(2) after its enactment, new developments make it necessary to define the basis on which to apply the law.

第四十六条 国务院、中央军事委员会、最高人民法院、最高人民检察院和全国人民代表大会各专门委员会以及省、自治区、直辖市的人民代表大会常务委员会可以向全国人民代表大会常务委员会提出法律解释要求。

Article 46 The State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate, a special committee of the National People's Congress and the standing committee of the people's congress of a province, autonomous region or municipality directly under the Central Government may request the Standing Committee of the National People's Congress to give legal interpretation.

第四十七条 常务委员会工作机构研究拟订法律解释草案，由委员长会议决定列入常务委员会会议议程。

Article 47 The working offices of the Standing Committee shall study and work out a draft for the legal interpretation, which shall be put on the agenda of the Standing Committee meeting by decision of the Council of Chairmen.

第四十八条 法律解释草案经常务委员会会议审议，由法律委员会根据常务委员会组成人员的审议意见进行审议、修改，提出法律解释草案表决稿。

Article 48 After a draft for legal interpretation has been deliberated by the Standing Committee at its meeting, the Law Committee shall, on the basis of the deliberated opinions of members of the Standing Committee, deliberate on the draft and revise it before working out a draft legal interpretation for vote.

第四十九条 法律解释草案表决稿由常务委员会全体组成人员的过半数通过，由常务委员会发布公

告予以公布。

Article 49 The draft legal interpretation for vote shall be subject to adoption by a simple majority of the total membership of the Standing Committee and be promulgated by the Standing Committee in an announcement.

第五十条 全国人民代表大会常务委员会的法律解释同法律具有同等效力。

Article 50 The legal interpretation adopted by the Standing Committee of the National People's Congress has the same effect as the laws enacted by it.

第五节 其他规定

Section 5:Other Provisions

第五十一条 全国人民代表大会及其常务委员会加强对立法工作的组织协调，发挥在立法工作中的主导作用。

Article 51 The NPC and its Standing Committee shall strengthen the organization and coordination of legislative work, and play their leading role in legislative work.

第五十二条 全国人民代表大会常务委员会通过立法规划、年度立法计划等形式，加强对立法工作的统筹安排。编制立法规划和年度立法计划，应当认真研究代表议案和建议，广泛征集意见，科学论证评估，根据经济社会发展和民主法治建设的需要，确定立法项目，提高立法的及时性、针对性和系统性。立法规划和年度立法计划由委员长会议通过并向社会公布。

Article 52 The Standing Committee of the NPC shall enhance coordinated arrangements for legislative work by preparing legislative planning, annual legislative plans and other means. When preparing legislative planning and annual legislative plans, the Standing Committee of the NPC shall carefully study the motions and suggestions submitted by delegates, extensively solicit opinions, conduct scientific panel discussion and assessment, and determine legislative projects according to the needs of economic and social development and the development of democracy and rule of law, so as to make legislative activities more timely, targeted and systematic. Legislative planning and annual legislative plans shall be adopted by the Chairman's Meeting, and be announced to the public.

全国人民代表大会常务委员会工作机构负责编制立法规划和拟订年度立法计划，并按照全国人民代表大会常务委员会的要求，督促立法规划和年度立法计划的落实。”

The working bodies of the Standing Committee of the NPC shall be responsible for preparing legislative planning and drafting annual legislative plans, and shall, in accordance with the requirements of the Standing Committee of the NPC, supervise the implementation of legislative planning and annual legislative plans.

第五十三条 全国人民代表大会有关的专门委员会、常务委员会工作机构应当提前参与有关方面的法律草案起草工作；综合性、全局性、基础性的重要法律草案，可以由有关的专门委员会或者常务委员会工作机构组织起草。

Article 53 Relevant special committees of the NPC and/or the working bodies of the Standing Committee of the NPC shall participate in the drafting of the draft laws of relevant parties in advance, and may organize the drafting of important draft laws that regulate comprehensive or fundamental issues or issues concerning overall national development.

专业性较强的法律草案，可以吸收相关领域的专家参与起草工作，或者委托有关专家、教学科研单位、社会组织起草。

Experts engaging in related fields may be invited to participate in the drafting of draft laws that are highly technical. Alternatively, relevant experts, teaching and research institutions, and social organizations may be entrusted with the drafting of such draft laws.

第五十四条 提出法律案，应当同时提出法律草案文本及其说明，并提供必要的参阅资料。修改法律的，还应当提交修改前后的对照文本。法律草案的说明应当包括制定或者修改法律的必要性、可行性和主要内容，以及起草过程中对重大分歧意见的协调处理情况。

Article 54 In introducing a bill, the bill proposer shall at the same time submit the draft law and the accompanying notes, and provide necessary reference materials. Where an existing law is to be revised, comparisons between the pre-revised version and the proposed revised version shall also be submitted. Notes to a draft law shall describe the necessity and feasibility of the formulation or revision of the relevant law, the main contents thereof, and the coordinated handling of major differences of opinions during the drafting process.

第五十五条 向全国人民代表大会及其常务委员会提出的法律案，在列入会议议程前，提案人有权撤回。

Article 55 With regard to a legislative bill submitted to the National People's Congress or its Standing Committee, the sponsor has the right to withdraw it before it is put on the agenda of a Congress session or Committee meeting.

第五十六条 交付全国人民代表大会及其常务委员会全体会议表决未获得通过的法律案，如果提案人认为必须制定该法律，可以按照法律规定的程序重新提出，由主席团、委员长会议决定是否列入会议议程；其中，未获得全国人民代表大会通过的法律案，应当提请全国人民代表大会审议决定。

Article 56 With regard to a legislative bill that has failed to pass the vote at a plenary meeting of the National People's Congress or its Standing Committee, if the sponsor still considers it necessary to enact the proposed law, he may submit the bill anew in accordance with the statutory procedures, and the Presidium or the Council of Chairmen shall decide whether to put it on the agenda of a session of the Congress or a meeting of the Standing Committee; for a bill that has failed to be adopted by the National People's Congress, the case shall be referred to the National People's Congress for deliberation and decision.

第五十七条 法律应当明确规定施行日期。

Article 57 In a law, the time for its entry into effect shall be clearly stipulated.

第五十八条 签署公布法律的主席令载明该法律的制定机关、通过和施行日期。

Article 58 In an Order of the President signed for promulgating a law, the organ that enacts the law, the date of its adoption and the time for its entry into effect shall be clearly stated.

法律签署公布后，及时在全国人民代表大会常务委员会公报和中国人大网以及在全国范围内发行的报纸上刊载。

Upon being signed and promulgated, a law shall be promptly published on the Bulletin of the Standing Committee of the NPC, the official website of the NPC (www.npc.gov.cn) and nationally circulated newspapers.

在常务委员会公报上刊登的法律文本为标准文本。

The text of a law published in the Bulletin of the Standing Committee shall be the standard text.

第五十九条 法律的修改和废止程序，适用本章的有关规定。

Article 59 The procedures for revising or nullifying a law shall be governed by the relevant provisions in this Chapter.

法律被修改的，应当公布新的法律文本。

Where a law is revised, a new version of the law shall be promulgated.

法律被废止的，除由其他法律规定废止该法律的以外，由国家主席签署主席令予以公布。

"Where a law is repealed, the repeal shall be announced by the Order of the President as signed by the President except where the law is repealed through the provisions of other laws.

第六十条 法律草案与其他法律相关规定不一致的，提案人应当予以说明并提出处理意见，必要时应当同时提出修改或者废止其他法律相关规定的议案。

Article 60 Where a draft law is inconsistent with relevant provisions of other laws, the proposer shall provide explanations and put forward handling opinions, and where necessary, shall also put forward a motion to revise or repeal the relevant provisions of other laws.

法律委员会和有关的专门委员会审议法律案时，认为需要修改或者废止其他法律相关规定的，应当提出处理意见。

When deliberating a bill, the Legislative Committee and the relevant special committee shall put forward handling opinions if they are of the opinion that relevant provisions of other laws need to be revised or repealed.

第六十一条 法律根据内容需要，可以分编、章、节、条、款、项、目。

Article 61 According to the need of the contents, a law may consists of parts, chapters, sections, articles, paragraphs, subparagraphs and items.

编、章、节、条的序号用中文数字依次表述，款不编序号，项的序号用中文数字加括号依次表述，目的序号用阿拉伯数字依次表述。

The sequence of the different parts, chapters, sections and articles shall be marked in the order of Chinese numerals, the sequence of the paragraphs shall not be marked, that of subparagraphs shall be marked in the order of bracketed Chinese numerals and that of items marked with Arabic numerals.

法律标题的题注应当载明制定机关、通过日期。经过修改的法律，应当依次载明修改机关、修改日期。

The title credit line of a law shall specify the organ formulating the law and the date when the law is passed. The title credit line of a law that has gone through revisions shall specify the organs revising the law and the dates of revision in the order of revision.

第六十二条 法律规定明确要求有关国家机关对专门事项作出配套的具体规定的，有关国家机关应当自法律施行之日起一年内作出规定，法律对配套的具体规定制定期限另有规定的，从其规定。有关国家机关未能在期限内作出配套的具体规定的，应当向全国人民代表大会常务委员会说明情况。”

Article 62 Where a law clearly requires relevant State organs to formulate detailed supporting provisions on specific matters, the relevant State organs shall formulate such provisions within one year from the date of implementation of the law, unless the period for formulating detailed supporting provisions is otherwise prescribed by the law. Where the relevant State organs fail to formulate detailed

supporting provisions within the specified time period, they shall explain relevant situations to the Standing Committee of the NPC.

第六十三条 全国人民代表大会有关的专门委员会、常务委员会工作机构可以组织对有关法律或者法律中有关规定进行立法后评估。评估情况应当向常务委员会报告。

Article 63 The relevant special committees of the NPC and the working bodies of the Standing Committee of the NPC may organize post-legislative assessment of relevant laws or relevant provisions thereof. The situations of such assessment shall be reported to the Standing Committee of the NPC.

第六十四条 全国人民代表大会常务委员会工作机构可以对有关具体问题的法律询问进行研究予以答复，并报常务委员会备案。

Article 64 The working offices of the Standing Committee of the National People's Congress may reply, after study, to any legal inquiries regarding specific questions and shall report thereon to the Standing Committee for the record.

第三章 行政法规

Chapter III: Administrative Regulations

第六十五条 国务院根据宪法和法律，制定行政法规。

Article 65 The State Council shall, in accordance with the Constitution and laws, formulate administrative regulations.

行政法规可以就下列事项作出规定：

The administrative regulations may be formulated to govern the following matters:

(一)为执行法律的规定需要制定行政法规的事项；

(1) matters requiring the formulation of administrative regulations in order to implement the provisions of law; and

(二)宪法第八十九条规定的国务院行政管理职权的事项。

(2) matters within the administrative functions and powers of the State Council as provided for in Article 89 of the Constitution.

应当由全国人民代表大会及其常务委员会制定法律的事项，国务院根据全国人民代表大会及其常务委员会的授权决定先制定的行政法规，经过实践检验，制定法律的条件成熟时，国务院应当及时提请全国人民代表大会及其常务委员会制定法律。

When the administrative regulations governing an affair which has been formulated first by the State Council under authorization decided on by the National People's Congress or its Standing Committee, an affair on which the National People's Congress or its Standing Committee is responsible to make a law, have been tested in practice and when the conditions are ripe for making a law on the affair, the State Council shall, in a timely manner, request the National People's Congress or its Standing Committee to make the law.

第六十六条 国务院法制机构应当根据国家总体工作部署拟订国务院年度立法计划，报国务院审批。国务院年度立法计划中的法律项目应当与全国人民代表大会常务委员会的立法规划和年度立法计划相衔接。国务院法制机构应当及时跟踪了解国务院各部门落实立法计划的情况，加强组织协调和督促指导。

Article 66 The legislative organ of the State Council shall draft the annual legislative plan of the State Council based on the overall work arrangements of the State, and submit the same to the State Council for examination and approval. Legal projects included in the annual legislative plans of the State Council shall be aligned with the legislative planning and annual legislative plans of the Standing Committee of the NPC. The legislative organ of the State Council shall promptly follow up with and learn about the implementation of the legislative plans by various departments of the State Council, and enhance organization, coordination, supervision and guidance.

国务院有关部门认为需要制定行政法规的，应当向国务院报请立项。

Where relevant departments of the State Council consider it necessary to formulate administrative regulations, they shall report to the State Council for the establishment of relevant projects.

第六十七条 行政法规由国务院有关部门或者国务院法制机构具体负责起草，重要行政管理的法律、行政法规草案由国务院法制机构组织起草。行政法规在起草过程中，应当广泛听取有关机关、组织、人民代表大会代表和社会公众的意见。听取意见可以采取座谈会、论证会、听证会等多种形式。

Article 67 Administrative regulations shall be drafted by relevant departments of the State Council or the legislative organ of the State Council, while drafts of important laws and administrative regulations governing administration shall be drafted by the legislative organ of the State Council. During the drafting of administrative regulations, the opinions of relevant organs, organizations, NPC delegates and the general public shall be extensively listened to by holding forums, panel discussions or hearings and by other various means.

行政法规草案应当向社会公布，征求意见，但是经国务院决定不公布的除外。

Draft administrative regulations shall be promulgated to the public for comments, unless non-promulgation is decided by the State Council.

第六十八条 行政法规起草工作完成后，起草单位应当将草案及其说明、各方面对草案主要问题的不同意见和其他有关资料送国务院法制机构进行审查。

Article 68 When the drafting of the administrative regulations is completed, the drafting unit shall submit the draft, its explanation, differing opinions from the various quarters on major questions in the draft and other relevant information to the legislative affairs department under the State Council for examination.

国务院法制机构应当向国务院提出审查报告和草案修改稿，审查报告应当对草案主要问题作出说明。

The legislative affairs department under the State Council shall submit an examination report and a revised draft to the State Council and in its examination report explain the major questions in the draft.

第六十九条 行政法规的决定程序依照中华人民共和国国务院组织法的有关规定办理。

Article 69 The decision-making procedures for administrative regulations shall comply with the relevant provisions in the Organic Law of the State Council of the People's Republic of China.

第七十条 行政法规由总理签署国务院令公布。

Article 70 Administrative regulations shall be promulgated by Order of the State Council signed by the Premier of the State Council.

有关国防建设的行政法规，可以由国务院总理、中央军事委员会主席共同签署国务院、中央军事委员会令公布。

Administrative regulations relating to national defense development may be promulgated by the order of the State Council and the order of the Central Military Commission as jointly signed by the Premier of the State Council and the Chairman of the Central Military Commission

第七十一条 行政法规签署公布后，及时在国务院公报和中国政府法制信息网以及在全国范围内发行的报纸上刊载。

Article 71 After being signed and promulgated, administrative regulations shall be promptly published on the Gazette of the State Council, the Chinese government legal information network (<http://www.chinalaw.gov.cn/>) and nationally circulated newspapers.

在国务院公报上刊登的行政法规文本为标准文本。

The text of the administrative regulations published in the Bulletin of the State Council shall be the standard text.

第四章 地方性法规、自治条例和单行条例、规章

Chapter IV: Local Regulations, Autonomous Regulations, Separate Regulations, and Rules

第一节 地方性法规、自治条例和单行条例

Section 1: Local Regulations, Autonomous Regulations and Separate Regulations

第七十二条 省、自治区、直辖市的人民代表大会及其常务委员会根据本行政区域的具体情况和实际需要，在不同宪法、法律、行政法规相抵触的前提下，可以制定地方性法规。

Article 72 The people's congresses or their standing committees of the provinces, autonomous regions and municipalities directly under the Central Government may, in light of the specific conditions and actual needs of their respective administrative areas, formulate local regulations, provided that such regulations do not contradict the Constitution, the laws and the administrative regulations.

设区的市的人民代表大会及其常务委员会根据本市的具体情况和实际需要，在不同宪法、法律、行政法规和本省、自治区的地方性法规相抵触的前提下，可以对城乡建设与管理、环境保护、历史文化保护等方面的事项制定地方性法规，法律对设区的市制定地方性法规的事项另有规定的，从其规定。设区的市的地方性法规须报省、自治区的人民代表大会常务委员会批准后施行。省、自治区的人民代表大会常务委员会对报请批准的地方性法规，应当对其合法性进行审查，同宪法、法律、行政法规和本省、自治区的地方性法规不抵触的，应当在四个月内予以批准。

In light of the specific circumstances and actual needs of a city with districts, the people's congress of the city with districts and its standing committee may formulate local regulations concerning matters of urban and rural construction and management, environmental protection, historical and cultural protection, etc., provided that such local regulations are not in conflict with the Constitution, laws, administrative regulations and the local regulations of the province or autonomous region in which the city with districts is located. The provisions otherwise prescribed by law on the matters for which cities with districts may formulate local regulations shall prevail. The local regulations of a city with districts shall be implemented after being reported to the standing committee of the people's congress of the province or autonomous region in which the said city is located for approval. The standing committee of the people's congress of the said province or autonomous region shall review the legality of the local regulations submitted thereto for approval, and grant approval within four months as long as such local

regulations are not in conflict with the Constitution, laws, administrative regulations and the local regulations of the province or autonomous region.

省、自治区的人民代表大会常务委员会在对报请批准的设区的市的地方性法规进行审查时，发现其同本省、自治区的人民政府的规章相抵触的，应当作出处理决定。

The standing committee of the people's congress of the province or autonomous region in which a city with districts is located shall, when reviewing the local regulations of the said city that are submitted thereto for approval, make a handling decision if it finds that such local regulations are in conflict with the rules issued by the people's government of the province or autonomous region.

除省、自治区的人民政府所在地的市，经济特区所在地的市和国务院已经批准的较大的市以外，其他设区的市开始制定地方性法规的具体步骤和时间，由省、自治区的人民代表大会常务委员会综合考虑本省、自治区所辖的设区的市的人口数量、地域面积、经济社会发展情况以及立法需求、立法能力等因素确定，并报全国人民代表大会常务委员会和国务院备案。

Except for cities where the people's governments of provinces and autonomous regions are located, cities where special economic zones are located, and relatively large cities approved by the State Council, the specific steps and time for other cities with districts to begin formulating local regulations shall be determined by the standing committees of the people's congresses of the provinces and autonomous regions in which such cities with districts are located by taking into comprehensive consideration the population, geographic areas, economic and social development as well as legislative needs, legislative capability and other factors of the cities with districts under the respective jurisdictions of the relevant provinces and autonomous regions, and be reported to the Standing Committee of the NPC and the State Council for record-filing.

自治州的人民代表大会及其常务委员会可以依照本条第二款规定行使设区的市制定地方性法规的职权。自治州开始制定地方性法规的具体步骤和时间，依照前款规定确定。

The people's congress of an autonomous prefecture and its standing committee may exercise the authority to formulate local regulations as a city with districts in accordance with Paragraph 2 of this Article. The specific steps and time for an autonomous prefecture to begin formulating local regulations shall be determined in accordance with the preceding Paragraph.

省、自治区的人民政府所在地的市，经济特区所在地的市和国务院已经批准的较大的市已经制定的地方性法规，涉及本条第二款规定事项范围以外的，继续有效。

Local regulations already formulated by cities where the people's governments of provinces and autonomous regions are located, cities where special economic zones are located, and relatively large cities approved by the State Council shall remain valid if they involve matters other than those prescribed under Paragraph 2 of this Article.

第七十三条 地方性法规可以就下列事项作出规定：

Article 73 Local regulations may be formulated to govern the following matters:

(一)为执行法律、行政法规的规定，需要根据本行政区域的实际情况作具体规定的事项；

(1) matters requiring the formulation of specific provisions in light of the actual conditions of an respective administrative area for implementing the provisions of laws or administrative regulations; and

(二)属于地方性事务需要制定地方性法规的事项。

(2) matters of local character that require the formulation of local regulations.

除本法第八条规定的事项外，其他事项国家尚未制定法律或者行政法规的，省、自治区、直辖市和设区的市、自治州根据本地方的具体情况和实际需要，可以先制定地方性法规。在国家制定的法律或者行政法规生效后，地方性法规同法律或者行政法规相抵触的规定无效，制定机关应当及时予以修改或者废止。

In respect of any matters other than those prescribed by Article 8 herein for which the State has not yet formulated any law or administrative regulations, a province, autonomous region or municipality directly under the Central Government, a city with districts or an autonomous prefecture may first formulate local regulations in light of its specific circumstances and actual needs. After applicable laws or administrative regulations formulated by the State come into effect, any provision in the local regulations that is in conflict with the laws or administrative regulations shall be invalid, and the organs formulating the local regulations shall promptly revise or repeal such provisions.

设区的市、自治州根据本条第一款、第二款制定地方性法规，限于本法第七十二条第二款规定的事项。

Local regulations formulated by a city with districts or an autonomous prefecture under Paragraph 1 or Paragraph 2 of this Article shall be limited to matters prescribed by Paragraph 2 of Article 72 herein.

制定地方性法规，对上位法已经明确规定的内容，一般不作重复性规定。

During the formulation of local regulations, repetitive provisions shall generally not be formulated with regard to contents already specified in superior laws.

第七十四条 经济特区所在地的省、市的人民代表大会及其常务委员会根据全国人民代表大会的授权决定，制定法规，在经济特区范围内实施。

Article 74 The people's congresses or their standing committees of the provinces and cities where special economic zones are located may, upon authorization by decision of the National People's Congress, formulate regulations and enforce them within the limits of the special economic zones.

第七十五条 民族自治地方的人民代表大会有权依照当地民族的政治、经济和文化的特点，制定自治条例和单行条例。自治区的自治条例和单行条例，报全国人民代表大会常务委员会批准后生效。自治州、自治县的自治条例和单行条例，报省、自治区、直辖市的人民代表大会常务委员会批准后生效。

Article 75 The people's congresses of the national autonomous areas have the power to formulate autonomous regulations and separate regulations on the basis of the political, economic and cultural characteristics of the local nationality(nationalities). The autonomous regulations and separate regulations of the autonomous regions shall be submitted to the Standing Committee of the National People's Congress for approval and shall go into effect upon approval. The autonomous regulations and separate regulations of the autonomous prefectures or counties shall be submitted to the standing committees of the people's congresses of the relevant provinces, autonomous regions or municipalities directly under the Central Government for approval and shall go into effect upon approval.

自治条例和单行条例可以依照当地民族的特点，对法律和行政法规的规定作出变通规定，但不得违背法律或者行政法规的基本原则，不得对宪法和民族区域自治法的规定以及其他有关法律、行政法规专门就民族自治地方所作的规定作出变通规定。

Where certain provisions of the laws and administrative regulations are concerned, adaptation on the basis of the characteristics of the local nationality (nationalities) may be made in autonomous regulations and separate regulations, but such adaptation may not contradict the basis principles of the laws and administrative regulations; where the provisions of the Constitution and the Law on Regional National

Autonomy as well as the provisions in other laws and administrative regulations specially formulated to govern the national autonomous areas are concerned, no adaptation may be made.

第七十六条 规定本行政区域特别重大事项的地方性法规，应当由人民代表大会通过。

Article 76 Local regulations governing especially important matters of an administrative area shall be subject to adoption by the people's congress of the area.

第七十七条 地方性法规案、自治条例和单行条例案的提出、审议和表决程序，根据中华人民共和国地方各级人民代表大会和地方各级人民政府组织法，参照本法第二章第二节、第三节、第五节的规定，由本级人民代表大会规定。

Article 77 The procedures for submission, deliberation and voting of bills of local regulations, autonomous regulations or separate regulations shall be enacted by the people's congress at the corresponding level in accordance with the Organic Law of the People's Republic of China on Local People's Congresses and Local People's Governments and with reference to the provisions of Sections 2, 3 and 5 in Chapter II of this Law.

地方性法规草案由负责统一审议的机构提出审议结果的报告和草案修改稿。

The organ in charge of unified deliberation of a draft of local regulations shall prepare a report on the result of its a conclusive report on deliberation and a revised draft of the regulations.

第七十八条 省、自治区、直辖市的人民代表大会制定的地方性法规由大会主席团发布公告予以公布。

Article 78 Local regulations formulated by the people's congress of a province, autonomous region or municipality directly under the Central Government shall be promulgated by the presidium of the congress in an announcement.

省、自治区、直辖市的人民代表大会常务委员会制定的地方性法规由常务委员会发布公告予以公布。

Local regulations formulated by the standing committee of the people's congress of a province, autonomous region or municipality directly under the Central Government shall be promulgated by the standing committee in an announcement.

设区的市、自治州的人民代表大会及其常务委员会制定的地方性法规报经批准后，由设区的市、自治州的人民代表大会常务委员会发布公告予以公布。

After the local regulations formulated by the people's congress of a city with districts or an autonomous prefecture and its standing committee are approved, the standing committee of the people's congress of the city with districts or autonomous prefecture shall issue an announcement to promulgate the local regulations.

自治条例和单行条例报经批准后，分别由自治区、自治州、自治县的人民代表大会常务委员会发布公告予以公布。

Autonomous regulations or separate regulations shall, upon approval, be promulgated by the standing committee of the local people's congress of the autonomous region, autonomous prefecture or autonomous county in an announcement.

第七十九条 地方性法规、自治区的自治条例和单行条例公布后，及时在本级人民代表大会常委会公报和中国人大网、本地方人民代表大会网站以及在本行政区域范围内发行的报纸上刊载。

Article 79 Upon promulgation, local regulations, and the autonomous regulations and special regulations of an autonomous region shall be promptly published in the bulletin of the standing committee of the people's congress at the same level, the official website of the NPC ((www.npc.gov.cn), the website of the local people's congress and the newspapers circulated within the local administrative regions.

在常务委员会公报上刊登的地方性法规、自治条例和单行条例文本为标准文本。

The text of local regulations or autonomous regulations and special regulations published in the gazette of the standing committee of the people's congress shall be the standard text.

第二节 规章

Section 2: Rules

第八十条 国务院各部、委员会、中国人民银行、审计署和具有行政管理职能的直属机构，可以根据法律和国务院的行政法规、决定、命令，在本部门的权限范围内，制定规章。

Article 80 The ministries and commissions of the State Council, the People's Bank of China, the State Audit Administration as well as the other organs endowed with administrative functions directly under the State Council may, in accordance with the laws as well as the administrative regulations, decisions and orders of the State Council and within the limits of their power, formulate rules.

部门规章规定的事项应当属于执行法律或者国务院的行政法规、决定、命令的事项。没有法律或者国务院的行政法规、决定、命令的依据，部门规章不得设定减损公民、法人和其他组织权利或者增加其义务的规范，不得增加本部门的权力或者减少本部门的法定职责。

Matters prescribed by department rules shall be matters for the application of laws or the administrative regulations, decisions or orders of the State Council. Without the bases prescribed by laws or the administrative regulations, decisions or orders of the State Council, department rules shall not contain provisions that reduce the rights or increase the obligations of citizens, legal persons and other organizations, and shall not contain provisions that enhance the power or reduce the statutory duties of the department concerned."

第八十一条 涉及两个以上国务院部门职权范围的事项，应当提请国务院制定行政法规或者由国务院有关部门联合制定规章。

Article 81 With regard to a matter that falls within the limits of power of two or more departments under the State Council, the State Council shall be requested to formulate administrative regulations, or the departments concerned under the State Council shall jointly formulate rules.

第八十二条 省、自治区、直辖市和设区的市、自治州的人民政府，可以根据法律、行政法规和本省、自治区、直辖市的地方性法规，制定规章。

Article 82 The people's government of a province, autonomous region or municipality directly under the Central Government, a city with districts or an autonomous prefecture may formulate rules in accordance with laws, administrative regulations and local regulations of the relevant province, autonomous region or municipality directly under the Central Government.

地方政府规章可就下列事项作出规定：

Local governments may formulate rules to govern the following matters:

(一)为执行法律、行政法规、地方性法规的规定需要制定规章的事项；

(1) matters requiring the formulation of rules to implement the provisions of laws, administrative regulations and local regulations; and

(二)属于本行政区域的具体行政管理事项。

(2) specific administrative matters pertaining to their respective administrative areas.

设区的市、自治州的人民政府根据本条第一款、第二款制定地方政府规章，限于城乡建设与管理、环境保护、历史文化保护等方面的事项。已经制定的地方政府规章，涉及上述事项范围以外的，继续有效。

Local government rules prescribed by the people's government of a city with districts or an autonomous prefecture pursuant to Paragraph 1 or Paragraph 2 of this Article shall be limited to matters of urban and rural construction and management, environmental protection, historical and cultural protection, etc. Local government rules already formulated shall remain valid if they involve matters other than the foregoing ones.

除省、自治区的人民政府所在地的市，经济特区所在地的市和国务院已经批准的较大的市以外，其他设区的市、自治州的人民政府开始制定规章的时间，与本省、自治区人民代表大会常务委员会确定的本市、自治州开始制定地方性法规的时间同步。

Except for cities where the people's governments of provinces and autonomous regions are located, cities where special economic zones are located, and relatively large cities approved by the State Council, the time for the people's governments of other cities with districts and autonomous prefectures to begin formulating rules shall be synchronized with the time for such cities and autonomous prefectures to begin formulating local regulations as determined by the standing committees of the people's congresses of the provinces and autonomous regions in which such cities with districts and autonomous prefectures are located.

应当制定地方性法规但条件尚不成熟的，因行政管理迫切需要，可以先制定地方政府规章。规章实施满两年需要继续实施规章所规定的行政措施的，应当提请本级人民代表大会或者其常务委员会制定地方性法规。

Where local regulations shall be formulated, but relevant conditions are not ripe, local government rules may first be formulated due to urgent needs of administration. Where continued implementation of the administrative measures prescribed by the local government rules is needed two years after the implementation of the said rules, a request shall be submitted to the people's congress at the same level or its standing committee for formulating local regulations.

没有法律、行政法规、地方性法规的依据，地方政府规章不得设定减损公民、法人和其他组织权利或者增加其义务的规范。

Without the bases prescribed by laws, administrative regulations and local regulations, local government rules shall not contain provisions that reduce the rights or increase the obligations of citizens, legal persons and other organizations.

第八十三条 国务院部门规章和地方政府规章的制定程序，参照本法第三章的规定，由国务院规定

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Article 83 The procedures for formulating the rules of departments under the State Council and rules of local governments shall be enacted by the State Council with reference to the provisions in

Chapter III of this Law.

第八十四条 部门规章应当经部务会议或者委员会会议决定。

Article 84 The Rules of departments shall be subject to decision by the executive meetings of ministries or meetings of commissions.

地方政府规章应当经政府常务会议或者全体会议决定。

The rules of local governments shall be subject to decision by the executive meetings or plenary meetings of the respective governments.

第八十五条 部门规章由部门首长签署命令予以公布。

Article 85 The department rules shall be promulgated by orders signed by the heads of the departments.

地方政府规章由省长、自治区主席、市长或者自治州州长签署命令予以公布。

Local government rules shall be promulgated by an order signed by the governor of the relevant province, the chairman of the relevant autonomous region, the mayor of the relevant city with districts or the governor of the relevant autonomous prefecture.

第八十六条 部门规章签署公布后，及时在国务院公报或者部门公报和中国政府法制信息网以及在全国范围内发行的报纸上刊载。

Article 86 After being signed and promulgated, department rules shall be promptly published in the Gazette of the State Council or the gazette of relevant departments, the Chinese government legal information network (<http://www.chinalaw.gov.cn/>) and nationally circulated newspapers."

地方政府规章签署公布后，及时在本级人民政府公报和中国政府法制信息网以及在本行政区域范围内发行的报纸上刊载。

After being signed and promulgated, local government rules shall be promptly published in the Gazette of the people's governments at the same level, the Chinese government legal information network (<http://www.chinalaw.gov.cn/>) and newspapers circulated within the administrative regions of the people's governments.

在国务院公报或者部门公报和地方人民政府公报上刊登的规章文本为标准文本。

The text of rules published in the gazette of the State Council or of the department and in the gazette of the local people's government shall be the standard text.

第五章 适用与备案审查

Chapter V: Application and Record-filing Review

第八十七条 宪法具有最高的法律效力，一切法律、行政法规、地方性法规、自治条例和单行条例、规章都不得同宪法相抵触。

Article 87 The legal effect of the Constitution is the highest, and no laws, administrative regulations, local regulations, autonomous regulations, separate regulations or rules whatever may contradict it.

第八十八条 法律的效力高于行政法规、地方性法规、规章。

Article 88 The effect of laws is higher than that of administrative regulations, local regulations, and rules.

行政法规的效力高于地方性法规、规章。

The effect of administrative regulations is higher than that of local regulations, and rules.

第八十九条 地方性法规的效力高于本级和下级地方政府规章。

Article 89 The effect of local regulations is higher than that of the rules of the local governments at or below the corresponding level.

省、自治区的人民政府制定的规章的效力高于本行政区域内的设区的市、自治州的人民政府制定的规章。

Rules formulated by the people's government of a province or autonomous region shall have superior legal authority than rules formulated by the people's government of a city with districts or an autonomous prefecture located within the administrative regions of the province or autonomous region.

第九十条 自治条例和单行条例依法对法律、行政法规、地方性法规作变通规定的，在本自治地方适用自治条例和单行条例的规定。

Article 90 Where in autonomous regulations or separate regulations provisions are formulated in accordance with law to make adaptations with regard to certain provisions of laws, administrative regulations or local regulations, the provisions of the autonomous regulations or separate regulations shall apply in the autonomous areas concerned.

经济特区法规根据授权对法律、行政法规、地方性法规作变通规定的，在本经济特区适用经济特区法规的规定。

Where regulations of special economic zones are formulated, upon authorization, to make adaptations with regard to certain provisions of laws, administrative regulations or local regulations, the provisions of the regulations of special economic zones shall apply in the special economic zones concerned.

第九十一条 部门规章之间、部门规章与地方政府规章之间具有同等效力，在各自的权限范围内施行。

Article 91 The effect of the rules of different departments is equal between the departments, and the effect of the department rules and of the rules of local governments is equal between the departments and local governments; their application shall be confined to their respective limits of authority.

第九十二条 同一机关制定的法律、行政法规、地方性法规、自治条例和单行条例、规章，特别规定与一般规定不一致的，适用特别规定；新的规定与旧的规定不一致的，适用新的规定。

Article 92 With regard to laws, administrative regulations, local regulations, autonomous regulations, separate regulations or rules, if they are formulated by one and same organ and if there is inconsistency between special provisions and general provisions, the special provisions shall prevail; if there is inconsistency between the new provisions and the old provisions, the new provisions shall prevail.

第九十三条 法律、行政法规、地方性法规、自治条例和单行条例、规章不溯及既往，但为了更好地保护公民、法人和其他组织的权利和利益而作的特别规定除外。

Article 93 Laws, administrative regulations, local regulations, autonomous regulations, separate regulations and rules shall not be retroactive, but the regulations formulated specially for the purpose of

better protecting the rights and interests of citizens, legal persons and other organizations are excepted.

第九十四条 法律之间对同一事项的新的一般规定与旧的特别规定不一致，不能确定如何适用时，由全国人民代表大会常务委员会裁决。

Article 94 Where there is inconsistency between the new general provisions and the old special provisions in different laws governing one and the same matter and it is hard to decide which provisions shall prevail, a ruling shall be made by the Standing Committee of the National People's Congress.

行政法规之间对同一事项的新的一般规定与旧的特别规定不一致，不能确定如何适用时，由国务院裁决。

Where there is inconsistency between the new general provisions and the old special provisions in different administrative regulations governing one and the same matter and it is hard to decide which provisions shall prevail, a ruling shall be made by the State Council.

第九十五条 地方性法规、规章之间不一致时，由有关机关依照下列规定的权限作出裁决：

Article 95 Where there is inconsistency between local regulations and rules, a ruling shall be made by the organ concerned according to the limits of power prescribed below:

(一)同一机关制定的新的一般规定与旧的特别规定不一致时，由制定机关裁决；

(1) Where there is inconsistency between the new general provisions and the old special provisions formulated by one and the same organ, the said organ shall make a ruling;

(二)地方性法规与部门规章之间对同一事项的规定不一致，不能确定如何适用时，由国务院提出意见，国务院认为应当适用地方性法规的，应当决定在该地方适用地方性法规的规定；认为应当适用部门规章的，应当提请全国人民代表大会常务委员会裁决；

(2) Where there is inconsistency between the provisions of local regulations and those of the department rules governing one and same matter and it is hard to decide which provisions shall prevail, the State Council shall make a decision; if it considers that the provisions of the local regulations should be applied, it shall decide that the provisions of the local regulations be applied in the locality concerned; if it considers that the department rules should be applied, the case shall be submitted to the Standing Committee of the National People's Congress for a ruling; and

(三)部门规章之间、部门规章与地方政府规章之间对同一事项的规定不一致时，由国务院裁决。

(3) Where there is inconsistency between the provisions in the rules of different departments or between the provisions in the rules of the departments and those in the rules of local governments governing one and the same matter, the State Council shall make a ruling.

根据授权制定的法规与法律规定不一致，不能确定如何适用时，由全国人民代表大会常务委员会裁决。

Where there is inconsistency between the regulations formulated upon authorization and the provisions of laws and it is hard to decide which shall prevail, the Standing Committee of the National People's Congress shall make a ruling.

第九十六条 法律、行政法规、地方性法规、自治条例和单行条例、规章有下列情形之一的，由有关机关依照本法第九十七条规定的权限予以改变或者撤销：

Article 96 Under any of the following circumstances, laws, administrative regulations, local regulations, autonomous regulations, separate regulations or rules shall be altered or annulled by the

organ concerned in accordance with the limits of power prescribed in Article 97 of this Law:

(一)超越权限的;

(1) where the limits of power are transcended;

(二)下位法违反上位法规定的;

(2) where provisions of the legislation of lower levels contravene those of the legislation of upper levels;

(三)规章之间对同一事项的规定不一致,经裁决应当改变或者撤销一方的规定的;

(3) where, because of inconsistency between the provisions of different rules governing one and the same matter, it is ruled that the provisions of one side be altered or annulled;

(四)规章的规定被认为不适当,应当予以改变或者撤销的;

(4) where the provisions of rules are considered inappropriate and should therefore be altered or annulled; or

(五)违背法定程序的。

(5) where legal procedures are violated.

第九十七条 改变或者撤销法律、行政法规、地方性法规、自治条例和单行条例、规章的权限是:

Article 97 The limits of power for altering or annulling laws, administrative regulations, local regulations, autonomous regulations, separate regulations or rules are as follows:

(一)全国人民代表大会有权改变或者撤销它的常务委员会制定的不适当的法律,有权撤销全国人民代表大会常务委员会批准的违背宪法和本法第七十五条第二款规定的自治条例和单行条例;

(1) The National People's Congress has the power to alter or annul any inappropriate laws enacted by its Standing Committee, and to annul any autonomous regulations or separate regulations which have been approved by its Standing Committee but which contravene the Constitution or the provision of the second paragraph in Article 75 of this Law;

(二)全国人民代表大会常务委员会有权撤销同宪法和法律相抵触的行政法规,有权撤销同宪法、法律和行政法规相抵触的地方性法规,有权撤销省、自治区、直辖市的人民代表大会常务委员会批准的违背宪法和本法第七十五条第二款规定的自治条例和单行条例;

(2) The Standing Committee of the National People's Congress has the power to annul any administrative regulations which contradict the Constitution and laws, to annul any local regulations which contradict the Constitution, laws or administrative regulations, and to annul any autonomous regulations or separate regulations which have been approved by the standing committees of the people's congresses of the relevant provinces, autonomous regions or municipalities directly under the Central Government but which contravene the Constitution or the provision of the second paragraph in Article 66 of this Law;

(三)国务院有权改变或者撤销不适当的部门规章和地方政府规章;

(3) The State Council has the power to alter or annul any inappropriate rules of the departments and of local governments;

(四)省、自治区、直辖市的人民代表大会有权改变或者撤销它的常务委员会制定的和批准的不适当的地方性法规;

(4) The people's congress of a province, autonomous region or municipality directly under the Central Government has the power to alter or annul any inappropriate local regulations formulated or approved by its standing committee;

(五)地方人民代表大会常务委员会有权撤销本级人民政府制定的不适当的规章；

(5) The standing committee of a local people's congress has the power to annul any inappropriate rules formulated by the people's government at the same level;

(六)省、自治区的人民政府有权改变或者撤销下一级人民政府制定的不适当的规章；

(6) The people's government of a province or autonomous region has the power to alter or annul any inappropriate rules formulated by people's governments at the next lower level; and

(七)授权机关有权撤销被授权机关制定的超越授权范围或者违背授权目的的法规，必要时可以撤销授权。

(7) The authorizing organ has the power to annul any of the regulations formulated by an authorized organ that transcends the authorized limits of power or contravenes the authorized purpose, and when necessary, may revoke the authorization.

第九十八条 行政法规、地方性法规、自治条例和单行条例、规章应当在公布后的三十日内依照下列规定报有关机关备案：

Article 98 Administrative regulations, local regulations, autonomous regulations, separate regulations and rules shall, within 30 days from the date of promulgation, be reported to the organ concerned for the record in accordance with the following provisions:

(一)行政法规报全国人民代表大会常务委员会备案；

(1) Administrative regulations shall be reported to the Standing Committee of the National People's Congress for the record;

(二)省、自治区、直辖市的人民代表大会及其常务委员会制定的地方性法规，报全国人民代表大会常务委员会和国务院备案；设区的市、自治州的人民代表大会及其常务委员会制定的地方性法规，由省、自治区的人民代表大会常务委员会报全国人民代表大会常务委员会和国务院备案；

(2) Local regulations formulated by the people's congress of a province, autonomous region or municipality directly under the Central Government and the standing committee thereof shall be submitted to the Standing Committee of the NPC and the State Council for record-filing, while local regulations formulated by the people's congress of a city with districts or an autonomous prefecture and the standing committee thereof shall be submitted to the Standing Committee of the NPC and the State Council for record-filing via the standing committee of the people's congress of the province or autonomous region in which the said city or autonomous prefecture is located;

(三)自治州、自治县的人民代表大会制定的自治条例和单行条例，由省、自治区、直辖市的人民代表大会常务委员会报全国人民代表大会常务委员会和国务院备案；自治条例、单行条例报送备案时，应当说明对法律、行政法规、地方性法规作出变通的情况；

(3) Autonomous regulations and special regulations formulated by the people's congress of an autonomous prefecture or autonomous county shall be submitted to the Standing Committee of the NPC and the State Council for record-filing via the standing committee of the people's congress of the province, autonomous region or municipality directly under the Central Government in which the

autonomous prefecture or autonomous county is located. When autonomous regulations or special regulations are submitted for record-filing, information on the changes made to relevant laws, administrative regulations and local regulations shall be explained;

(四) 部门规章和地方政府规章报国务院备案；地方政府规章应当同时报本级人民代表大会常务委员会备案；设区的市、自治州的人民政府制定的规章应当同时报省、自治区的人民代表大会常务委员会和人民政府备案；

(4) Department rules and local government rules shall be submitted to the State Council for record-filing, while local government rules shall be concurrently submitted to the standing committee of the people's congress at the same level for record-filing. Rules formulated by the people's government of a city with districts or an autonomous prefecture shall also be concurrently submitted to the standing committee of the people's congress and the people's government of the province or autonomous region in which the said city or autonomous prefecture is located for record-filing, and

(五) 根据授权制定的法规应当报授权决定规定的机关备案；经济特区法规报送备案时，应当说明对法律、行政法规、地方性法规作出变通的情况。

(5) Regulations formulated upon authorization shall be submitted to the organ specified in the relevant authorization decision for record-filing. When regulations of a special economic zone are submitted for record-filing, information on the changes made to relevant laws, administrative regulations and local regulations shall be explained.

第九十九条 国务院、中央军事委员会、最高人民法院、最高人民检察院和各省、自治区、直辖市的人民代表大会常务委员会认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向全国人民代表大会常务委员会书面提出进行审查的要求，由常务委员会工作机构分送有关的专门委员会进行审查、提出意见。

Article 99 When the State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate and the standing committees of the people's congresses of the provinces, autonomous regions and municipalities directly under the Central Government consider that administrative regulations, local regulations, autonomous regulations or separate regulations contradict the Constitution or laws, they may submit to the Standing Committee of the National People's Congress written requests for examination, and the working offices of the Standing Committee shall refer the requests to the relevant special committees for examination and suggestions.

前款规定以外的其他国家机关和社会团体、企业事业组织以及公民认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向全国人民代表大会常务委员会书面提出进行审查的建议，由常务委员会工作机构进行研究，必要时，送有关的专门委员会进行审查、提出意见。

When State organs other than the ones mentioned in the preceding paragraph, public organizations, enterprises and institutions or citizens consider that administrative regulations, local regulations, autonomous regulations or separate regulations contradict the Constitution or laws, they may submit to the Standing Committee of the National People's Congress written suggestions for examination, and the working offices of the Standing Committee shall study the suggestions and shall, when necessary, refer them to the relevant special committees for examination and suggestions.

有关的专门委员会和常务委员会工作机构可以对报送备案的规范性文件进行主动审查。

The relevant special committees and the working bodies of the Standing Committee may take the initiative to review the normative documents submitted for record-filing.

第一百条 全国人民代表大会专门委员会、常务委员会工作机构在审查、研究中认为行政法规、地

方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向制定机关提出书面审查意见、研究意见；也可以由法律委员会与有关的专门委员会、常务委员会工作机构召开联合审查会议，要求制定机关到会说明情况，再向制定机关提出书面审查意见。制定机关应当在两个月内研究提出是否修改的意见，并向全国人民代表大会法律委员会和有关的专门委员会或者常务委员会工作机构反馈。

Article 100 Where a special committee of the NPC or a working body of the Standing Committee of the NPC is of the opinion that certain administrative regulations, local regulations, autonomous regulations and special regulations are in conflict with the Constitution or the law during its review and study thereof, the said special committee or working body may raise opinions on written review or study to the organ formulating the relevant regulations; alternatively, the Legislative Committee and the relevant special committee or working body of the Standing Committee may convene a joint review session, require the organ formulating the relevant regulations to give explanations during the session, and thereafter issue written review opinions to the said organ. The organ formulating the relevant regulations shall study and present its opinions on whether revisions shall be made within two months, and provide feedback for the Legislative Committee of the NPC and the relevant special committee of the NPC or the relevant working body of the Standing Committee of the NPC.

全国人民代表大会法律委员会、有关的专门委员会、常务委员会工作机构根据前款规定，向制定机关提出审查意见、研究意见，制定机关按照所提意见对行政法规、地方性法规、自治条例和单行条例进行修改或者废止的，审查终止。

Where the Legislative Committee or the relevant special committee of the NPC, or a working body of the Standing Committee of the NPC raises opinions on review or study to the organ formulating the relevant regulations in accordance with the preceding Paragraph, and the said organ revises or repeals the relevant administrative regulations, local regulations, autonomous regulations or special regulations according to such opinions, review by the special committee of the NPC or the working body of the Standing Committee of the NPC shall be terminated.

全国人民代表大会法律委员会、有关的专门委员会、常务委员会工作机构经审查、研究认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触而制定机关不予修改的，应当向委员长会议提出予以撤销的议案、建议，由委员长会议决定提请常务委员会会议审议决定。

Where the Legislative Committee or the relevant special committee of the NPC, or a working body of the Standing Committee of the NPC, after review or study, is of the opinion that certain administrative regulations, local regulations, autonomous regulations or special regulations are in conflict with the Constitution or the law, but the organ formulating the relevant regulations refuses to make any revision, the Legislative Committee or the relevant special committee of the NPC, or the working body of the Standing Committee of the NPC shall submit to the Chairman's Meeting a motion or suggestion on cancellation, and the Chairman's Meeting shall decide whether to request the Standing Committee to convene a session for deliberation and decision on the said motion or suggestion.

第一百零一条 全国人民代表大会有关的专门委员会和常务委员会工作机构应当按照规定要求，将审查、研究情况向提出审查建议的国家机关、社会团体、企业事业组织以及公民反馈，并可以向社会公开。

Article 101 Relevant special committees of the NPC and the working bodies of the Standing Committee of the NPC shall, in accordance with relevant provisions, provide feedback on review and study for the State organs, social organizations, enterprises, public institutions and citizens that have raised suggestions on review, and may announce such feedback to the public.

第一百零二条 其他接受备案的机关对报送备案的地方性法规、自治条例和单行条例、规章的审查

程序，按照维护法制统一的原则，由接受备案的机关规定。

Article 102 Other authorities which receive local regulations, autonomous regulations, separate regulations or rules submitted to them for the record shall, in accordance with the principle of safeguarding legal uniformity, formulate procedures for the examination of such regulations or rules.

第六章 附则

Chapter VI: Supplementary Provisions

第一百零三条 中央军事委员会根据宪法和法律，制定军事法规。

Article 103 The Central Military Commission shall, in accordance with the Constitution and laws, formulated military regulations.

中央军事委员会各总部、军兵种、军区、中国人民武装警察部队，可以根据法律和中央军事委员会的军事法规、决定、命令，在其权限范围内，制定军事规章。

The various headquarters, divisions and arms of services, military regions and the Chinese People's Armed Police Force of the Central Military Commission may, within their respective scope of authority, formulate military rules in accordance with laws and the military regulations, decisions and orders of the Central Military Commission.

军事法规、军事规章在武装力量内部实施。

Military regulations and military rules shall be implemented within the armed forces.

军事法规、军事规章的制定、修改和废止办法，由中央军事委员会依照本法规定的原则规定。

Measures for formulating, revising and nullifying military regulations and military rules shall be formulated by the Central Military Commission in accordance with the principles laid down in this Law.

第一百零四条 最高人民法院、最高人民检察院作出的属于审判、检察工作中具体应用法律的解释，应当主要针对具体的法律条文，并符合立法的目的、原则和原意。遇有本法第四十五条第二款规定情况的，应当向全国人民代表大会常务委员会提出法律解释的要求或者提出制定、修改有关法律的议案。

Article 104 The interpretations issued by the Supreme People's Court and the Supreme People's Procuratorate on the specific application of the law during adjudication and procuratorial work shall mainly focus on specific legal provisions, and be consistent with legislative purposes, principles and intent. In the case of the circumstances prescribed by Paragraph 2 of Article 45 herein, the Supreme People's Court and the Supreme People's Procuratorate shall request the Standing Committee of the NPC to interpret relevant laws or submit to the Standing Committee of the NPC a motion to formulate or revise relevant laws.

最高人民法院、最高人民检察院作出的属于审判、检察工作中具体应用法律的解释，应当自公布之日起三十日内报全国人民代表大会常务委员会备案。

The interpretations issued by the Supreme People's Court and the Supreme People's Procuratorate on the specific application of the law during adjudication and procuratorial work shall be submitted to the Standing Committee of the NPC for record-filing within 30 days upon promulgation.

最高人民法院、最高人民检察院以外的审判机关和检察机关，不得作出具体应用法律的解释。

Adjudication organs and procuratorial organs other than the Supreme People's Court and the Supreme People's Procuratorate shall not issue interpretations on the specific application of the law.

第一百零五条 本法自2000年7月1日起施行。

Article 105 This Law shall go into effect as of July 1, 2000.